



House of Representatives

General Assembly

File No. 25

February Session, 2002

Substitute House Bill No. 5155

House of Representatives, March 12, 2002

The Committee on Public Health reported through REP. EBERLE of the 15th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING TEMPORARY ASSISTANCE DURING PERIODS OF EMERGENCY OR DISASTER.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective October 1, 2002*) (a) The Commissioner of
- 2 Public Health may issue an order to temporarily suspend, for a period
- 3 not to exceed sixty consecutive days, the requirements for licensure,
- 4 certification or registration, pursuant to chapters 368d, 370, 376, 376c,
- 5 378, 378a, 381a, 383 to 383c, inclusive, 384d, 385, 395, 400a and 474 of
- 6 the general statutes, to allow persons who are appropriately licensed,
- 7 certified or registered in another state or territory of the United States
- 8 or the District of Columbia, to render temporary assistance in
- 9 managing an emergency in this state, declared pursuant to any
- 10 provisions of the general statutes, arising from natural disaster,
- 11 technological hazard, man-made disaster, civil emergency aspects of
- 12 resources shortages, community disorders, insurgency or enemy
- 13 attack.

14 (b) Any licensed, certified or registered practitioner described in
15 subsection (a) of this section who renders emergency medical or
16 professional assistance, pursuant to subsection (a) of this section, at the
17 scene of an emergency to a person in need thereof, shall not be liable to
18 such person assisted for civil damages for any personal injuries which
19 result from acts or omissions by such practitioner that may constitute
20 ordinary negligence. The immunity provided in this subsection does
21 not apply to acts or omissions constituting gross, wilful or wanton
22 negligence.

23 (c) Nothing in this section shall be deemed or construed to relieve a
24 licensed practitioner from liability for damages for injuries or death
25 caused by an act or omission of the part of a practitioner while
26 rendering professional services in the normal and ordinary course of
27 such practitioner's practice.

This act shall take effect as follows:	
Section 1	October 1, 2002

Statement of Legislative Commissioners:

In section 1(a) after "this state" the words "declared pursuant to any provisions of the general statutes" were added for accuracy of reference.

PH *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

No fiscal impact is anticipated to result from passage of this bill as health professionals who would render assistance during an emergency would not otherwise be seeking licensure from the Department of Public Health.

OLR Bill Analysis

sHB 5155

AN ACT CONCERNING TEMPORARY ASSISTANCE DURING PERIODS OF EMERGENCY OR DISASTER**SUMMARY:**

This bill allows the public health commissioner to order a temporary suspension of state licensure, certification, or registration requirements for certain health-related practitioners from other states providing temporary assistance in Connecticut during an emergency or disaster. The out-of-state practitioner must be appropriately credentialed in another state or U.S. territory.

The temporary assistance period cannot exceed 60 days. The emergency situation must be due to natural disaster, technological hazard, man-made disaster, and civil emergency aspects of resource shortages, community disorders, insurgency, or enemy attack.

The bill provides protection from civil liability for personal injuries resulting from acts or omissions of such practitioners providing in-state assistance at an emergency scene that might be ordinary negligence. This immunity does not apply to gross, willful, or wanton negligence. Also, the bill specifies that it does not protect a licensed practitioner from liability for damages for injuries or death caused by an act or omission of the practitioner providing professional services in the normal course of his practice.

EFFECTIVE DATE: October 1, 2002

AFFECTED HEALTH PRACTITIONERS

The bill applies to the following health-related practitioners: emergency medical service personnel, physicians and surgeons, physical therapists, radiographers and radiologic technologists, nurses, nurse's aides, respiratory care practitioners, psychologists, marital and family therapists, clinical social workers, professional counselors, paramedics, embalmers and funeral directors, sanitarians, asbestos contractors and asbestos consultants, and water treatment plant or water distribution system operators.

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 21 Nay 0